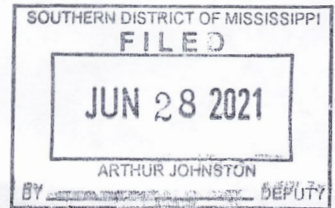


FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983  
IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

COMPLAINT

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI



1:21cv371 TBM-RPM

Penns MDoc# 106945  
Coun# 440960  
(Last Name) (Identification Number)

VARTAURSE CARNELOUS  
(First Name) (Middle Name)

HARRISON COUNTY JAIL  
(Institution)

10451 LARKINSMITH DRIVE  
(Address)

(Enter above the full name of the plaintiff, prisoner, and address plaintiff in this action)

V. TROY PETERS (Department)  
HARRISON COUNTY JAIL (ETC.)  
JAMES, JONES-ERT (ETC.)  
KIMBERLY, HODGES-ERT (ETC.)  
ERICA JIMENEZ OFC/ERT (ETC.)  
(Enter above the full name of the defendant or defendants in this action)

CIVIL ACTION NUMBER: 1:21cv221 LG-JCG  
(to be completed by the Court)

OTHER LAWSUITS FILED BY PLAINTIFF

NOTICE AND WARNING:

The plaintiff must fully complete the following questions. Failure to do so may result in your case being dismissed.

A. Have you ever filed any other lawsuits in a court of the United States? Yes ( ☒ ) No ( ☐ )

B. If your answer to A is yes, complete the following information for each and every civil action and appeal filed by you. (If there is more than one action, complete the following information for the additional actions on the reverse side of this page or additional sheets of paper.)

- Parties to the action: GPD, Gulfport Police Department, Jason Duce, ofc Gilich etc, SHEITH STANLEY MCLERO, GREENE COUNTY SHERIFF OFFICE, JAIL etc, George County JAIL etc
- Court (if federal court, name the district; if state court, name the county): HARRISON County Southern District of Mississippi, Suite 403
- Docket Number: CAN't remember lack of access to Docket.
- Name of judge to whom case was assigned: J C G, Hard to remember at this time tm sorry.
- Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?): I don't know I need help / pending and dismissed. I believe. I need help understanding what to do to process. ALL MATTERS. VEP

# PARTIES

(In item I below, place your name and prisoner number in the first blank and place your present address in the second blank. Do the same for additional plaintiff, if any).

I. Name of plaintiff: VARTAUER C. PENNS Prisoner Number: MDOC # 106945 County # 440460  
 Address: 10451 LARKINSMITH DRIVE Gulfport, MS, 39501  
JAMAR LANEIR DIXON 10451 LARKINSMITH DRIVE  
Gulfport MS, 39501.

(In item II below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use the space below item II for the names, positions, and places of employment of any additional defendants.)

II. Defendant: Sheriff Troy Peters llc etc. Harrison County Jail llc etc. is employed as  
Corrections Division and Vital Core medical etc llc at 10451 LARKINSMITH  
DRIVE GPTMS, 39501.

The plaintiff is responsible for providing the court the name and address of each plaintiff(s) as well as the name(s) and address(es) of each defendant(s). Therefore, the plaintiff is required to complete the portion below:

## PLAINTIFF:

NAME: VARTAUER C. PENNS ADDRESS: 10451 LARKINSMITH DRIVE GPT, MS 39501  
JAMAR LANEIR DIXON 10451 LARKINSMITH DRIVE, Gulfport MS, 39501

DEFENDANT(S): HARRISON COUNTY SHERIFFS OFFICE 10451 LARKINSMITH DRIVE, Gulfport MS 39501.

NAME: "COUNTY" Sheriff's Office llc ADDRESS: JAIL 10451 LARKINSMITH DRIVE, GPTMS 39501  
HARRISON COUNTY JAIL JAIL 10451 LARKINSMITH DRIVE GPTMS 39501

James Jones ERT ofc 10451 LARKINSMITH DRIVE GPTMS 39501

Kimberley Hodges ERT ofc 10451 LARKINSMITH DRIVE GPTMS 39501

Sheriff Troy Peters llc 10451 LARKINSMITH DRIVE GPTMS 39501

Vital Core Medical llc 10451 LARKINSMITH DRIVE GPTMS 39501

Kelly Moore Med/col worker 10451 LARKINSMITH DRIVE GPTMS 39501

Sgt. Kenneth Cunningham Disciplinary 10451 LARKINSMITH DRIVE GPTMS 39501

Sgt. Woodcock #254 Disciplinary 10451 LARKINSMITH DRIVE GPTMS 39501

ERT Kenneth Lowery ofc. 10451 LARKINSMITH DRIVE GPTMS 39501

ERT-ERTC GRAHAM ofc. 10451 LARKINSMITH DRIVE GPTMS 39501

Social Worker Medical 10451 LARKINSMITH DRIVE GPTMS 39501

Social Worker Medical 10451 LARKINSMITH DRIVE GPTMS 39501

HARRISON COUNTY llc County 10451 LARKINSMITH DRIVE GPTMS 39501

This is a grievance concerning:

# DEFENDANTS:

① <sup>MRS.</sup> ~~NURSE MILLER~~ - <sup>VITAL COFFEE</sup> 10451 LARKINSMITH DRIVE  
Gulfport MS 39503 etc.

② <sup>MR.</sup> ~~NURSE LEBB~~ - <sup>VITAL COFFEE</sup> 10451 LARKINSMITH DRIVE Gulfport  
MS 39501 PRACTICE etc.

③ ~~ARMARK-FOOD COMPANY~~ <sup>etc.</sup> 10451 LARKINSMITH DRIVE  
Gulfport MS 39503

<sup>CAPTAIN</sup> ④ ~~CAPTAIN LIEZE~~ 10451 LARKINSMITH DRIVE GPT, MS,  
39503, etc.

⑤ ~~JACOB MORGAN~~ - OFC / ERT 10451 LARKINSMITH  
DRIVE Gulfport MS, 39503

LT-⑥ ~~MS WHITTLE~~ 214-MAIL LADY - 10451 LARKINSMITH  
DRIVE Gulfport MS, 39503,

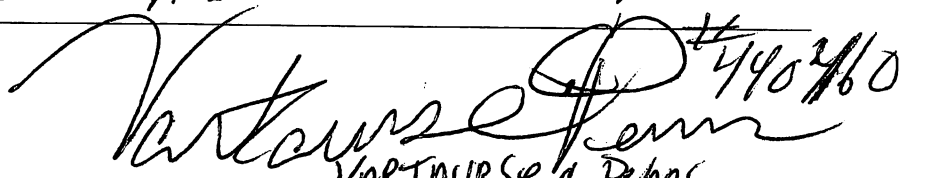
⑦ ~~Sgt. CHEN~~ - Laundry - 10451 LARKINSMITH  
DRIVE Gulfport MS, 39503

⑧ ~~WARDEN HUBBARD~~ 10451 LARKINSMITH DRIVE  
Gulfport MS, 39501

⑨ ~~NURSE BILLINGS~~ - <sup>Practitioner</sup> Vital-Coffee etc 10451 LARKINSMITH  
DRIVE, ~~Gulfport MS, 39503~~ <sup>LT. MABE</sup> 39535, <sup>ST. MALLEY</sup> etc.

⑩ ~~Sgt. GREGORY~~ - OFC 10451 LARKINSMITH DRIVE Gulfport MS, 39503.

⑪ ~~Nurse Summer~~ 11-10451 LARKINSMITH  
DR. <sup>VITAL COFFEE</sup> etc 39503 - ~~miss~~ <sup>miss</sup> ~~miss~~  
[Nurse Summer] Respectfully Submitted:

  
VARTAUSE C. PEHNS  
Janor L. Dixon 4402/60  
440424  
JANOR L. DIXON

## GENERAL INFORMATION

A. At the time of the incident complained of in this complaint, were you incarcerated because you had been convicted of a crime?

Yes ( ) No ( ☒ )

B. Are you presently incarcerated for a parole or probation violation?

Yes ( ) No ( ☒ )

*(But I am on probation with out violation & just missed a court date, FTA.)*

C. At the time of the incident complained of in this complaint, were you an inmate of the Mississippi Department of Corrections (MDOC)?

Yes ( ) No ( ☒ )

D. Are you currently an inmate of the Mississippi Department of Corrections (MDOC)?

Yes ( ) No ( ☒ )

E. Have you completed the Administrative Remedy Program regarding the claims presented in this complaint?

Yes ( ☒ ) No ( ), if so, state the results of the procedure:

*NONE, I was placed 80 days in the hole without access to the medical outside world. 6/17/2021 they covered the officers and hid me in the hole.*

F. If you are not an inmate of the Mississippi Department of Corrections, answer the following questions:

1. Did you present the facts relating to your complaint to the administrative or grievance procedure in your institution?

Yes ( ☒ ) No ( )

2. State how your claims were presented (written request, verbal request, request for forms):

*all three ways and received partial help the CPT ofc. Jones claimed I spit on him and they hid me in this dungeon (hole) for 80 days.*

3. State the date your claims were presented:

*6/12/2021 - 6/19/2021 - 6/17/2021*

4. State the result of the procedure:

*I HAVE A Red on Red jump suit with the day it happened less my Court date set off placed in the whole for 80 days no canteen, no medical treatment only 2 nurses will see me but no response from most request or grievance forms till next month July 1 2021 I'm told I have a hearing but I'm hurt BADLY. (VOP)*



# STATEMENT OF CLAIM

III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Also, include the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need; attach extra sheet if necessary.)

ON or about 6/10/2021 while being moved from one suicide cell to the next by Erica Jimenez and ERT <sup>JAMES</sup> Jones, and ERT Kimberly Hodges and Sgt and staff officer Kimberly Hodges got up in my face and stated shut the fuck up and sit down I did as told while cuffed and the James Jones Repeated almost every word she said, while Erica Jimenez held her <sup>Right</sup> hand in my chest, then Hodges stated you bitch is man who want to catch suicide case he in the hole, I <sup>ERT JFC</sup> Vartause Penns stated you the Bitch who wants to be a man, she <sup>ERT JFC</sup> got down fist to palm and said, SAY IT AGAIN BITCH I bet you want I said Bitch you the bitch, she began to pound my face while I was cuffed and James Jones and Erica Jimenez joined.   
RELIEF

See ATT:

IV. State what relief you seek from the court. Make no legal arguments. Cite no cases or statutes.   
Nominal Damages \$50,000 \$5,000 Per defendant. Official Capacity <sup>100,000,000</sup>   
Compensatory Damages \$150,000 Per defendant Plus <sup>10:98</sup>   
Punitive Damages \$150,000,000,000 Plus Individual   
CAPASITY \$120,000,000. Per defendant, ANY LAND, CARS, TRUCKS, BOATS,   
Planes, STOCKS, BONDS, CATTLE, deeds, or titles, or TRUST FUNDS   
owned by defendants as well as businesses. Please see ATTACHED   
Also have stock in place of tobacco products back in the facility.   
Signed this 19 day of June, 2021 Submitted.

LOSSES,

(S) Jamar L Dixon #440724 Vartause Penns #440460   
Signature of plaintiff, prisoner number and address of plaintiff   
#440460 Court House   
10451 Larkin Smith Drive   
Fort Worth TX 76103

I declare under penalty of perjury that the foregoing is true and correct.   
6/19/2021 #440724   
(Date)   
Signature of plaintiff   
10451 Larkin Smith Dr   
Fort Worth, TX 76103

STATEMENT OF CLAIM

#110466

On 5/31/21 while waiting to attend dayroom call I VARTAUSE PERMS WAS AWAKE by then rack mate JOSHUA ALLEN GORDON in section D/E Cell 239 the doors never opened so Mr. Gordon stated what's up and the zone discovered that the phone cover was taken off the wall and no one was allowed out while exposed wires are out. Via wall phone during NB AFFAIRS. So MR. Gordon whom was already on lock down for disrespecting officer REESE stated that he MR. Gordon would flood this bitch out, I VARTAUSE PERMS stated to him "look AINT NO EXTRA TRAYS, NO TALKING CHEES, NO HONEY BUNS IN THE HOLE" he MR. Gordon swung at me and we fought for a few minutes and gathered our selfs before some one came, I MR. PERMS laid back down and awoke to the cell full of water with Mr. Gordon sitting on the toilet he said "I don't give a fuck I'm going home wensday, I got court." well when Sgt. (Gregory) JACENT entered the zone he pitched a ASS about the flood he stated ALL YA had to do was wait for investigation or investigator to show up and YALL would have been out. He MR. GREGORY rolled the CAMERAS back and stated "I should have known that VENTORUS PERMS" he stated "oh no" NOT ME please hold up for your crime MR. Gordon. He pointed at me MR. PERMS while Sgt. GREGORY was at the cell door and then Sgt. Gregory stated "I KNEW you did it PERMS" "PACK YOUR SHIT YOU'RE GOING TO THE HOLE" I prayed in silence and then he returned with several officers and exempted Mr. Gordon but wrote me VARTAUSE C. PERMS UP FOR TAMPERING WITH SECURITY DEVICES AND FIGHTING WITH another inmate also insiting a riot. I ASK when did I do ALL THIS. I WAS taken to B Box D-DAVID = LOCK DOWN CELL 232 and I became ill sick of the smell of phiseses (shit x piss) from MELVIN KEYS and tried to commit suicide to escape the misery of torture. I returned 2 days later after evaluation from social worker KELLY MOORE, who released me back to the lock down area I WAS PLACED IN CELL 227 and they placed JESSIE MYERS in my cell from 226 After he was SPRAYED with OC spray for NOT MOVING to my cell and he never has showered since he came 3 months ago from the streets. I had a cell change to 128 then to 231 and became depressed because I got bad news my uncle RICKY OTIS passed away and I spoke of suicide thoughts and was placed on suicide watch day 5/9/2021. ERT OF C S) CAME IN TO SHOWER RED ON REDS and became ANGRY AS I WAS ESCORTED to medical. then on 6/10/21 offender DEVON HARMON threatened to put his penis in my food we got into a heated confrontation and I SLAPPED HIS TRAY out of his hand and threw water at him of C JIMENEZ then called a signal 34 inmate officer altercation in medical come quick, offender DEVON HARMON passed GAS (FARTED) and I spit at the trash can Sgt. Woods, Sgt. ~~Sime~~ MRS. Sahuque 173 did advise me to keep my spit to my self I agreed, they left and then ERT-OFC Kimberley Hodges, stated that your A BITCH ASS man crying cause I got whole time. I VARTAUSE PERMS told her "bitch your A whole Hoe trying to beat a man in here" she SAID say it again? See Attached!

Continuation from Pg 2, Atch. STATEMENT OF CLAIM VARTAVRSE PERNS #440460  
I bet your bitch ass won't call me a bitch again? I MR. PERNs  
STATED I'm FROM NORTH GULF PORT, STRAIGHT OFF MLK Blvd  
you got me Fucked up BITCH you the bitch and she proceed  
with fist to palms to pouch and Beat on me from the right  
Side of my Face while my HANDS were cuffed behind  
my back in A Suicide smock, AND ERT-ofc JONES<sup>James</sup> worked  
me from the left side, He at one point struck me with a  
very Hard object to the Left EAR CRACKIN MY JAW,  
I WAS raised up by JONES<sup>James</sup> and ERICA Jimenez-ofc ERT,  
Ms. Jimenez stated that she and JONES<sup>MR. James</sup> were separating me  
from Kimberley Hodges-ERT-ofc and as I sished to catch my breath I WAS  
SAIWA trying to breathe and was over exhausted dizzy to be exact  
Camera's in medical would show all 4 angles (Angles). THEN ERT Hodges  
STATED as I cursed officer JONES<sup>James</sup> for the Hard object He hit me  
with she said, "you spitting on my officer and they both  
pounced and ERICA Jimenez joined in beating me to the  
ground and when they raised me up I did Pass out on  
the spot + UNCONCIOUS and the both Hodges and Jones  
dropped me face first to the ground leaving me there  
the Nurse administered smelling SALT and as I came tot  
did and others hear ERT Hodges<sup>Kimberley</sup>-ofc STATE "I wish the CAMERA didnt  
work I'd stomp his head in or kill this bitch I dont like him"  
they both Jones and Hodges ofc-ERT picked me up and began  
to take me to lock down but the officer ERICA Jimenez said,  
no He's going here in the quarantine cell alone and they placed  
me on my knees in the back like a wild animal at gunpoint  
of A Red beam (TALER) by Hodges who stated "if you move  
I'm gone fry your ASS's till we leave" I lost my temper  
and picked up the old aluminum bed and they called maintenance to remove  
it from the cell and I WAS there till 6/11/21 with no medical help  
incident happened at 11:15 and I WAS seen at 12:15 AM that next day  
MR. Rogers and Kellymore via social workers to tell employees STAY AWAY see Pg 3

③ Attachment

## STATEMENT OF CLAIM

"Addont touch me?" she stayed all Night till about 1:30 AM CATCHING  
UP ON HER WORK CAMERA WOULD SHOW ALL THE BIG FACTS I HAVE  
been sentenced to 80 days lock down behind this matter  
I was written up by all 3 officers and accused of Assault  
ON SOMEONE ELSE how could I with my hands behind my back  
and I never spit on or at any officer, please see ALL  
video tapes and help before this matter gets worse that  
same day I HAD AN ATTORNEY VISIT WHICH WAS CANCELLED  
and caused my court date to be pushed back to August 18;  
2021, I'm hurting very badly my body - Respectfully submitted!

VARTORSE C. PENNS

*[Signature]*

#440460

②0 440724  
Jared D. [Signature]



~~Grievance Form~~  
"STATEMENT OF CLAIM"

From: JAMAR LANEIR DIXON 440724 B/D cell # 223  
Inmate Name: [LANEIR] Docket # Unit

Date Submitted: Date of Incident: 6/4/2021

Incident # 13469 ON CAMERA "15:10 hrs DAY ROOM FLOOR"

This is a grievance concerning: ON OR ABOUT THE 6/4/2021 WHILE BEING JAMAR L.

DIXON - brought to B-BOY-D-DAVID-BLOCK by CRT and officer JACOB MORGAN I was initially assigned to cell #232 where camera would show I was escorted by several of CRT members and they used unnecessary force with my head ramming it into the door 232 before it opened and busted my head causing me to need 3 or 4 stitches in the forehead when we entered the cell they proceeded to punch and kick me in the side and face till bloody then they moved me to down stairs 127 until I healed so I slept under the rack for safety, on 6/18/21 I was moved up stairs by the Shower to cell #223, I'm hurt and confused I need help ASAP ALSO I can not read alot or spell too good so I told MR. Penns to Please help me with this statement. (VCPX) [Signature] #440460

Jamar L Dixon [Signature] 440724

I Swear under the penalty of perjury that the above statement is true and to the best my knowledge correct camera would show at Harrison County Jail

Jamar L Dixon [Signature] 440724 DATE 6/1/2021

Written by VARTURSE Penns Consent given and stated by: JAMAR DIXON [Signature] 440460  
Himself. Jamar L Dixon [Signature] 440724  
JAMAR LANEIR DIXON 440724  
Inmate Signature

① Relief

~~Harrison County Sheriff's Office~~

Varkuse C. Perry #440760  
#06945 ~~Complaint Form~~

~~To: Complaint Officer~~

From: JAMAR L DIXON #440724 B/D #223  
Inmate Name Docket # Unit

Date Submitted: \_\_\_\_\_ Date of Incident: 6/4/2021

This is a grievance concerning: RELIEF SOUGHT BY COURT.

Removal of Tier system

That all officers be removed from positions of power and replaced and that the federal government take over the Jail and run it at full 100% capacity and that the privileges be given back to lock down offenders phone calls, and access to media and the outside world, yard calls, that the JAIL provide 3 full course meals and not just breakfast, lunch and 2 sandwiches. That all named medical staff be removed and replaced with better health care, that the sheriff be prosecuted for his involvement with several deaths here at the Jail, and forcing medical staff to save money and lie about patients being just fine given 1b proten for every broken bone, By Chain of Command and liability all be penalized to the maximum degree by this Honorable Courts. That suicide offenders be allowed to keep their MATTRESS and BLANKETS the entire time of being on suicide watch and allowed to sleep with clean sanitation for lock down and suicide cells, That lock down offenders be given the right to make full canteen orders and Removal of the tier system from the entire JAIL. To Press Charges on all staff for Attempted murder or Persue Criminal charges ASAP. see attach.

Respectfully Submitted:

Inmate Signature

① JAD 1/8/16

x 440724 [Signature] Varkuse C. Perry

2nd Floor

6/02/26 #440460  
VARTANUSSE Penns  
Jamar L Dixon

## RELIEF SOUGHT BY COURTS

"Further plaintiff(s) seek to request that the use of tobacco be permitted in the County Jail in accordance with ~~the~~ <sup>Doc</sup> All Tobacco products be made available. ~~Available~~ <sup>Available</sup> VAPs, piped and cartons of cigarettes, cigars, tobacco, matches, rolling papers, pipes, bongs, synthetic and medical marijuana, jars of peanut butter, that ALL INMATES be given the best of synthetic marijuana and medical, at discretion of nurse, \$10.00 canteen out of the County's Budget the appropriate time and day of canteen leaving no offender without, that 3 TRAYS full COARSE meals be distributed with the 12:00 noon lunch BAG and cereal and milk be added back to the menu, condiments be given back Mayo, sugar, salt, pepper, Bacon, HAM, Boiled eggs, FRIED Foods be placed back in the menu Ice Cream, Philly cheese stakes, HOT POCKETS, PIZZA, AND Doughnuts and cinnamon rolls, be placed back on menu. FRESH FRUIT, Apples, oranges, BANANAS, peaches, plums, grapes, STRAWBERRIES, BLUEBERRIES, etc, FRENCH FRIES, ~~Sodas~~ <sup>Sodas</sup> ON canteen ~~Lighters~~ <sup>Lighters</sup> being stalled back into the JAIL and the public be allowed CONTACT visits, TABLETS And Video visits allowed as long as INMATE funds ARE AVAILABLE to purchase time, A BETTER MENTAL Health FACILITY be established for the Therapeutic Needs of Housing and conditions with Respect for Human Life. THAT ALL STAFF EAT FREE AND ALL Leftovers be passed out to the offenders, Any one ENTERING the JAIL after hours that SANDWICHES or FULL TRAY meals be provide regardless of time till next meal. PLAINTIFFS prays this Honorable Court does GRANT this HFS Requested Relief Sought BY Courts And ANY others Deemed JUST.

Respectfully submitted: ~~V. Vartanusse~~ <sup>V. Vartanusse</sup> #440460 ~~X~~ <sup>TLD</sup>  
Jamar L Dixon

Victoria Jennifer #440460 BDO  
10451 LARKINSMITH DRIVE  
Gulfport MS 39503

U.S. DISTRICT COURT FOR SOUTHERN DISTRICT OF MISSISSIPPI  
ATTORNEY GENERAL  
#403

~~CURRENTLY~~  
~~LEGAL MAIL~~

2012 15th STREET  
Gulfport MS 39503

PRESORTED  
FIRST CLASS

Hasler  
06/25/2021  
US POSTAGE \$000.46



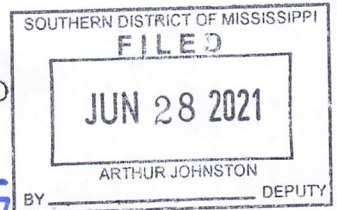
ZIP 39503  
01E12650912

MAILED FROM HARRISON COUNTY  
ADULT DETENTION CENTER  
NOT RESPONSIBLE FOR CONTENT

JUN 28 2021  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF MISS.



REQUEST TO PROCEED *IN FORMA PAUPERIS* AND  
DECLARATION IN SUPPORT THEREOF



I, Vernice C. Penns, am the plaintiff in the above entitled case and request leave to proceed without being required to prepay fees or costs or give security therefor. I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefore, and that I believe I am entitled to redress.

I declare that the responses which I have made below are true.

1. Are you presently employed? Yes \_\_\_\_\_ No ✓
- a. If the answer is yes, state the amount of your salary per month and give the name and address of your employer. NA
- b. If the answer is no, state the date of last employment and the amount of the salary per month which you received. 2019 5,000.00

2. Have you received within the past twelve months any money from any of the following sources?

- a. Business, profession, or form of self-employment? Yes \_\_\_\_\_ No ✓
- b. Rent payments, interest, or dividends? Yes \_\_\_\_\_ No ✓
- c. Pensions, annuities, or life insurance payments? Yes \_\_\_\_\_ No ✓
- d. Gifts or inheritances? Yes \_\_\_\_\_ No ✓
- e. Any other sources? Yes \_\_\_\_\_ No ✓

If the answer to any of the above is yes, describe each source of money and state the amount received from each during the past twelve months. NA

3. Do you own any cash or do you have money in a checking or savings account? Yes \_\_\_\_\_ No ✓ (Include any funds in prison accounts)

If the answer is yes, state the total value owned. 0

4. Do you own any real estate, stocks, bonds, notes automobiles, or other valuable property (excluding household furnishings and clothing)? Yes \_\_\_\_\_ No ✓

If the answer is yes, describe the property and state its approximate value. 0

5. List the persons who are dependent upon you for support; state your relationship to those person; and indicate how much you contribute their support. Valencia Penns

TyKid Harvey, Bucket Penn Cooks, & Hannah I can't giving  
my all to them as allowed then I have to leave it to god.

I understand that a false statement or answer to any question in this declaration will subject me to penalties for perjury.

[Signature]  
Signature of Plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 17<sup>th</sup> day of June, 2026.

[Signature]  
Signature of Plaintiff

Authorization for Release of Institutional Account Information and  
Payment of the Filing Fee

I, VARTAUERSE C. PEARSON #106945 MDOC  
(Name of Plaintiff) (MDOC Number)

authorize the Clerk of Court to obtain, from the agency having custody of my person, information about my institutional account, including balances, deposits and withdrawals. The Clerk of Court may obtain my account information from the past six months and in the future, until the filing fee is paid. I also authorize the agency having custody of my person to withdraw funds from my account and forward payments to the Clerk of Court, in accord with 28 U.S.C. Section 1915.

Vartause Pearson  
(Signature of Plaintiff)

6/17/2021  
(Date)

IT IS PLAINTIFF'S RESPONSIBILITY TO HAVE THE APPROPRIATE PRISON  
OFFICIAL COMPLETE AND CERTIFY THE CERTIFICATE BELOW

CERTIFICATE TO BE COMPLETED BY AUTHORIZED OFFICER  
(Prisoner Accounts Only)

I certify that the applicant named herein has the sum of \$ (-29.78) #225  
on account to his credit at the Harrison County ADC institution where he is  
confined. I further certify that the applicant likewise has the following securities to his credit  
according to the records of said institution:

I further certify that during the last six (6) months the  
plaintiff's average monthly balance was \$ \_\_\_\_\_.

I further certify that during the last six (6) months the  
plaintiff's average monthly deposit was \$ \_\_\_\_\_.

228-896-0618  
TELEPHONE NUMBER OF  
OFFICER FOR VERIFICATION

6-23-2021  
DATE

Robert Fox #225  
AUTHORIZED OFFICER OF INSTITUTION  
Robert Fox #225  
PRINT NAME OF AUTHORIZED OFFICER

RETURN COMPLETED FORM TO:

U. S. DISTRICT COURT

P. O. Box 23552

JACKSON, MS 39225-3552

Southern District  
OF MISSISSIPPI  
2012 15<sup>th</sup> STREET  
Gulfport, MS 39503

Victoria Jennifer #440460 BD 03/06  
10454 LARKINSMITH DRIVE  
Gulfport MS 39503

U.S. DISTRICT COURT FOR SOUTHERN DISTRICT OF MISSISSIPPI  
ATTORNEY GENERAL  
#403

2012 15th STREET

Suite 403

Gulfport MS 39503 RECEIVED

MAILED FROM HARRISON COUNTY

ADULT DETENTION CENTER

NOT RESPONSIBLE FOR CONTENT

JUN 28 2021  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF MISS.

PRESORTED  
FIRST CLASS

Hasler

06/25/2021

US POSTAGE

\$000.46



ZIP 39503

01E12650912



IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

VARTAUROSE CORNELIOUS PENNS, #440460

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:21-cv-00221-LG-JCG

HARRISON COUNTY JAIL, et al.

DEFENDANT(S)

ORDER

This cause comes before this Court for processing pursuant to the Prison Litigation Reform Act, Title 28, United States Code, Section 1915 and Section 1932. The Court is providing you with notice of these code sections, along with Section 47-5-138 of the Mississippi Code of 1972, since they may affect your decision to proceed with this action.

The Clerk of Court shall mail to the prisoner filing this complaint a copy of the Notice (Form PSP-1); Acknowledgment of Receipt and Certification (Form PSP-3) and a form by which the plaintiff may voluntarily dismiss (Form PSP-4) his or her lawsuit.

The plaintiff is directed that if he or she wants to continue with this case the plaintiff shall sign the Acknowledgment (Form PSP-3) and return it to the Clerk of Court within thirty (30) days from the date of this Order.

The plaintiff is further directed that if he or she wants to dismiss this case, then the plaintiff shall sign the Notice of Voluntary Dismissal (Form PSP-4) and return it to the Clerk of Court within thirty (30) days from the date of this Order.

**PSP-2**

**The plaintiff is warned that his or her failure to return one or the other of the forms within thirty (30) days and his or her failure to advise this court of a change of address will be deemed as a purposeful delay and contumacious act by the plaintiff and may result in this case being dismissed sua sponte, without prejudice, without further written notice.**

SO ORDERED this the 29th day of June, 2021.

s/ John C. Gargiulo

---

UNITED STATES MAGISTRATE JUDGE

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NOTICE TO PRISONERS FILING COMPLAINTS**

The attached Acknowledgment of Receipt must be signed and returned if you wish to continue your lawsuit.

Please read carefully the below detailed provisions of the Prison Litigation Reform Act, Title 28, United States Code, Section 1915 and Section 1932, along with Section 47-5-138 of the Mississippi Code of 1972 since they may affect your decision to continue with this lawsuit.

**I. IMPOSITION OF FILING FEES AND ADMINISTRATIVE FEES**

In accordance with the *in forma pauperis* (IFP) statute, as a prisoner you will be obligated to pay the full filing fee of \$350.00 (subject to change) for a civil action, or \$505.00 (subject to change) for an appeal.

1. If you have the money to pay the \$350.00 (subject to change) filing fee plus a \$52.00 (subject to change) administrative fee, you should immediately send a cashier's check or money order to the court.
2. If you are denied permission to proceed in forma pauperis, you will be required to pay the \$350.00 (subject to change) filing fee plus a \$52.00 (subject to change) administrative fee.
3. If you are granted permission to proceed in forma pauperis because you do not have enough money to pay the full filing fee the court will assess an initial partial filing fee. The initial partial filing fee will be equal to 20 percent of the average monthly deposits to your prison account for the last six months or 20 percent of the average monthly balance in your prison account for the last six months period, whichever is greater. The court will order the agency that has custody of you to take that initial partial filing fee out of your prison account as soon as funds are available and to forward the money to the court.

After the initial partial filing fee has been paid, you will owe the balance of the filing fee. Until the amount of the filing fee is paid in full, each month you will owe 20 percent of your preceding month's income credited to your prison account toward the balance. The agency that has custody of you will collect that money and send payments to the court any time the amount in your prison account exceeds \$10.00.

4. Regardless of whether some or all of the filing fee has been paid, the court is required to screen your complaint and to DISMISS the complaint if:

- a. Your allegation of poverty is untrue;
- b. The action is frivolous or malicious;
- c. Your complaint does not state a claim upon which relief can be granted; or
- d. You sue a defendant for money damages and that defendant is immune from liability for money damages.

5. Judgments including costs- If a judgment is rendered against you that includes the payment of costs, you will be required to pay the **full amount** of the costs ordered. You will be required to make payments for costs in the same manner as is provided for filing fees.

## II. NOTICE AND WARNING

### 1. Federal Law- Future Suits May be Barred

Under the IFP statute, 28 U.S.C. § 1915, if a prisoner has, on **3** or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was **dismissed** on the grounds that it was frivolous, malicious, or failed to state a claim upon which relief could be granted, the prisoner **will be barred** from bringing any further civil action or appeal a judgment in a civil action or proceeding under this section unless the prisoner is under imminent danger of serious physical injury. 28 U.S.C. § 1915 (g).

### 2. Federal Law- Loss of Good Time

Under Title 28 U.S.C. § 1932, in any civil action brought by an adult convicted of a crime and confined in a Federal Correctional Facility, if the court finds that the claim was filed for a malicious purpose, or the claim was filed solely to harass the party against which it was filed, or the claimant testifies falsely or otherwise knowingly presents false evidence or information to the court, the court may order the revocation of earned good time credit under 18 U.S.C. § 3624(b), that has not yet vested.

### 3. State Law- Loss of Good Time

Under Mississippi Code § 47-5-138, if a lawsuit brought by an inmate while the inmate was in the custody of the Department of Corrections is dismissed as frivolous or malicious, by a final order, the department shall forfeit:

- a. **Sixty (60) days** of an inmate's accrued earned time if the department has received one (1) final order;
- b. **One hundred twenty (120) days** of an inmate's accrued earned time if the department has received two (2) final orders;
- c. **One hundred eighty (180) days** of an inmate's accrued earned time if the department has received three (3) or more final orders.

The Department may not restore earned time forfeited under this section.

In light of the potential consequences of having your case dismissed as “frivolous” you are advised that the term “frivolous” may have a legal meaning that is different from what you consider this term to mean. Even though you are completely sincere in your suit, it may be dismissed as “frivolous” if it lacks an arguable basis in law or fact. Thus, a case may be found to be legally “frivolous” where it seeks to assert a “right” or address a “wrong” clearly not recognized by federal law. *See, e.g., Neitzke v. Williams*, 490 U.S. 319 (1989).

AFTER REVIEWING THE CORRESPONDENCE FROM THIS COURT, IF YOU WISH TO CONTINUE WITH YOUR LAWSUIT, YOU SHOULD SIGN THIS ACKNOWLEDGMENT AND RETURN IT TO THE CLERK OF COURT WITHIN THIRTY DAYS.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

VARTAUROSE CORNELIOUS PENNS, #440460

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:21-cv-00221-LG-JCG

HARRISON COUNTY JAIL, et al.

DEFENDANT(S)

ACKNOWLEDGMENT OF RECEIPT and  
CERTIFICATION TO BE SIGNED AND RETURNED BY THE PLAINTIFF

I have read the above statements, and fully understand that I am obligated to pay the full filing fee, even if I do not have enough money at this time.

I have read the above statements, and fully understand that if this lawsuit is dismissed on grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, I may be barred from filing further lawsuits or appeal a judgment of this Court, and I may lose up to **180 days** of earned “good time” credits, if I am confined within the Mississippi Department of Corrections.

I have read the above statements, and fully understand that if the court finds this lawsuit was filed for a malicious purpose, or solely to harass the defendants, or that I testified falsely or otherwise knowingly presented false evidence or information to the court, I may lose earned “good time” credit, that has not yet vested, if I am confined in a Federal Correctional Facility.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF PLAINTIFF

\_\_\_\_\_  
NAME OF PLAINTIFF (Please Print or type)

PSP-3



AFTER REVIEWING THE CORRESPONDENCE FROM THIS COURT, IF YOU WISH TO DISMISS YOUR LAWSUIT YOU SHOULD SIGN THIS NOTICE OF VOLUNTARY DISMISSAL AND RETURN IT TO THE CLERK OF COURT WITHIN THIRTY DAYS.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

VARTAURO CORNELIOUS PENNS, #440460

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:21-cv-00221-LG-JCG

HARRISON COUNTY JAIL, et al.

DEFENDANT(S)

**NOTICE OF VOLUNTARY DISMISSAL**

As the plaintiff, I hereby dismiss this cause, without prejudice, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. I further attest that this motion is voluntarily made and is not based upon pressure or threats from any source whatsoever.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Plaintiff

1:21-CV-00221-LE-JCH  
IN THE U.S. DISTRICT COURTS FOR THE SOUTHERN  
DISTRICT OF MISSISSIPPI SOUTHERN  
DIVISION



VARTAURSE C. PENNS  
VERSUS

PLAINTIFF

CIVIL ACTION

NO. 1:21-CV-00221-  
-LE-JCH

HARRISON COUNTY JAIL et al.

MOTION TO MEND DOCUMENTS DEFENDANT(S)

Comes now the above named indigent Plaintiff  
pro se, and files this his/her Motion to Mend Document(s)  
and in support of said motion, would respectfully show unto  
this Honorable Court the following matters and facts to wit:

A-THAT Since 5/31/21 I the PLAINTIFF VARTAURSE  
PENNS HAVE NOT BEEN ALLOWED the proper Access  
To media, YARD CALL, phone CALL or the outside  
World up till this present day my phone pin has just  
been unlocked since 7/14/21 as told by request from  
MRS. WHITTLE But yet I can only come out Monday,  
AND FRIDAY with the assistance of only ERT members  
who sometimes CAINT make it ALL the time because of  
Shortage of STAFF I have wrote several GRIEVANCES AND  
Respectful Request To The Sheriff TROY PETERS AND,  
CAPTAIN LEE, AS WELL AS WARDEN E. HUBBARD ABOUT  
THE MATTERS I HAVE NOT TASTED FRESH AIR AND THE  
CELL IS full of Bugs NATS and Sugar ants, spiders  
With BLACK mold near the A/C VENT, The RACK IS VERY  
RUSTY full of old food crumbs, HAIR follicles and mold.  
SEE ATT

B- THAT SINCE AND ON 5/31/21, 6/10/21, 6/10/21, 6/12/21, AND 7/9/21, CLOSED AT 7/13/21 THE ADMINISTRATION HAS DISHONORED ITS ERROR FOR THE DISCIPLINARY SYSTEM AND ALSO NOT ALLOWED MY ATTORNEY MR. NATHAN GERMAN OR JERMYN TO ATTEND ANY OF MY HEARINGS FOR ANY JUDICIAL REVIEWS NOR CONTACT HIM OF THE MATTERS MY FELONY COURT DATE HAS BEEN PUSHED BACK FROM JUNE 16, TO AUGUST 16, 2021 I HAVE FILED A MOTION TO HAVE A FAST AND SPEEDY TRIAL, I FOUND OUT THE COURTS OF HARRISON COUNTY DID ERROR AND THEY RECEIVED MY MOTION FOR DISMISSAL THEY DECIDED TO REINDITE ME THE PLAINTIFF VIOLATING ME AS A ENHANCED PENALTY AND HABITUAL DEFENDANT MY CURRENT ATTORNEY IS SEEKING TO GET THOSE DROPPED AND MOVE FOR PLED AGREEMENT WITH THE DA MS. PATTY SIMPSON. I VARTAU SE C. PENNS HAVE EXHAUSTED THE GRIEVANCE SYSTEM AND WOULD RESPECTFULLY REQUEST IMMEDIATE REMOVAL FROM LOCK DOWN AND WHEREFORE PREMISES, PLAINTIFF RESPECTFULLY REQUEST THAT THE MEDICAL COST HERE AT THE JAIL BE FULLY REIMBURSED TO THE PLAINTIFF AND FURTHERMORE THAT AN ORDER

Be Set for ALL Lock down offenders to use  
 the phone and be allowed to have access to the  
 media and outside world via Television, or Radio,  
 AND USE of the Kiosk for legal and Admin-  
 istrative Request. ALSO PLAINTIFF SEEKS AN  
 ADDITIONAL \$3,989,999.89-PUNITIVE DAMAGES  
 NOMINAL DAMAGES \$5,000.00. Dollars  
 Compensatory DAMAGES \$300,000.00  
 INDIVIDUAL CAPACITY OF \$20,000.00 dollars

Plus COURT COST Fines AND Filing dollars  
 Fees, of ATTORNEY AND ANY OTHER Fees  
 AND payments Deemed Just AND Righteous  
 FAIR, FURTHER PLAINTIFF PRAYS THIS  
 HONORABLE COURT DOES GRANT ALL  
 ORDER REQUESTED AND ALL COMPEN-  
 SATIONS SOUGHT BY THIS PROSE PLAINTIFF  
 AS JUSTICE MAY REQUIRE RESPECTFULLY  
 SUBMITTED: VARTAVR SEC Penns

V. H. Penn  
 7/18/21

1:21-CV-00221-15 JCE #440460  
VARTAU SE C. PENNS #440460  
10451 LARKIN SMITH DRIVE  
Gulfport MS, 39503

LEGAL MAIL



ATTENTION CLERK'S DIVISION  
U.S. DISTRICT COURT FOR  
SOUTHERN DISTRICT OF  
MISS., SOUTHERN DIVISION

Gulfport MS, 39502

2012-  
-15th Street-  
Suite 403

MAILED FROM HARRISON COUNTY  
ADULT DETENTION CENTER  
NOT RESPONSIBLE FOR CONTENTS

RESORTED  
FIRST CLASS

Hasler  
07/19/2021  
US POSTAGE \$000.46

ZIP 39503  
11 E 21st St





IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

VARTAUROSE CARNELOUS PENNS, #440460

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:21-cv-221-LG-JCG

HARRISON COUNTY JAIL, et al.

DEFENDANTS

ORDER TO SHOW CAUSE

On June 28, 2021, Plaintiff filed a Complaint [1] pursuant to § 1983 civil action. Compl. [1] at 1. On June 29, 2021, an Order [3] was entered in this action directing Plaintiff to sign and return to this Court an Acknowledgment of Receipt and Certification (Form PSP-3) or a Notice of Voluntary Dismissal (Form PSP-4) within thirty days. Plaintiff was warned that failure to comply or failure to provide a change of address could result in the dismissal of this civil action. Order [3] at 2. That Order [3] was mailed to Plaintiff at his last known address. Plaintiff has failed to comply with the Order [3] requiring him to sign and return to this Court an Acknowledgment of Receipt and Certification (Form PSP-3) or a Notice of Voluntary Dismissal (Form PSP-4) within thirty days. Accordingly, it is

ORDERED:

- (1) That the Clerk mail to Plaintiff a copy of the Order [3] entered June 29, 2021.
- (2) That Plaintiff **on or before September 3, 2021**, respond to this Order to Show Cause in writing and explain why this case should not be dismissed for failure to comply with the Court's Order [3].
- (3) That Plaintiff **on or before September 3, 2021**, comply with the Order [3] of June 29, 2021, by signing and returning to the Court an Acknowledgment of Receipt and Certification (Form PSP-3) or a Notice of Voluntary Dismissal (Form PSP-4).

(4) That Plaintiff is required to file his original response to this order to show cause with the Clerk, 2012 15th Street, Suite 403, Gulfport, Mississippi 39501. Failure to properly file a response may result in this civil action being dismissed.

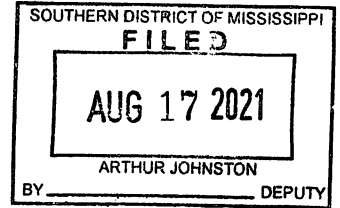
(5) That failure to advise the Court of a change of address or failure to timely comply with any order of the Court will be deemed as a purposeful delay and contumacious act by Plaintiff and may result in this cause being dismissed without prejudice and without further notice to Plaintiff.

THIS, the 13th day of August, 2021.

*s/ John C. Gargiulo*  
UNITED STATES MAGISTRATE JUDGE

AFTER REVIEWING THE CORRESPONDENCE FROM THIS COURT, IF YOU WISH TO CONTINUE WITH YOUR LAWSUIT, YOU SHOULD SIGN THIS ACKNOWLEDGMENT AND RETURN IT TO THE CLERK OF COURT WITHIN THIRTY DAYS.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION



VARTAURSE CORNELIOUS PENNS, #440460

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:21-cv-00221-LG-JCG

HARRISON COUNTY JAIL, et al.

DEFENDANT(S)

ACKNOWLEDGMENT OF RECEIPT and  
CERTIFICATION TO BE SIGNED AND RETURNED BY THE PLAINTIFF

I have read the above statements, and fully understand that I am obligated to pay the full filing fee, even if I do not have enough money at this time.

I have read the above statements, and fully understand that if this lawsuit is dismissed on grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, I may be barred from filing further lawsuits or appeal a judgment of this Court, and I may lose up to **180 days** of earned "good time" credits, if I am confined within the Mississippi Department of Corrections.

I have read the above statements, and fully understand that if the court finds this lawsuit was filed for a malicious purpose, or solely to harass the defendants, or that I testified falsely or otherwise knowingly presented false evidence or information to the court, I may lose earned "good time" credit, that has not yet vested, if I am confined in a Federal Correctional Facility.

6/29/21  
DATE

Vartause Penn 440 460  
SIGNATURE OF PLAINTIFF

VARTAURSE Penn #440 460  
NAME OF PLAINTIFF (Please Print or type)

PSP-3

VARTAUSE C PENNS #440460  
40451 LARKINSMITH DRIVE  
GULFPORT MS, 39503

RESORTED  
FIRST CLASS

Hasler

07/27/2021

US POSTAGE \$000.46

ATTENTION LERK

RECEIVED

AUG 17 2021

CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF MISS.

LEFA

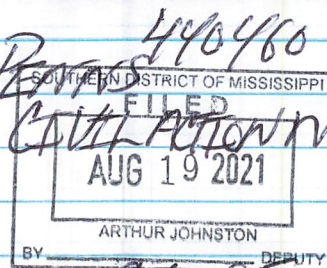
US DISTRICT COURT FOR  
THE SOUTHERN DISTRICT  
OF MISSISSIPPI SOUTHERN  
DIVISION 2012 15TH  
STREET SUITE 403  
GULFPORT MS, 39503

MAILED FROM HARRISON COUNTY  
ADULT DETENTION CENTER  
NOT RESPONSIBLE FOR CONTENTS



U.S DISTRICT COURT FOR SOUTHER  
DISTRICT OF MISSISSIPPI SOUTHERN DIVISION

VARTAURSE CARNELOUS PENNS  
VERSUS  
HARRISON COUNTY JAIL, et al.



PLAINTIFF  
DEFENDANTS

RESPONSE TO SHOW CAUSE IN WRITING

A: THAT PLAINTIFF DID Mail to the Courts  
A COPY of PSP-3 And it was Returned for  
Lack of Address And did Send it back out AS  
SOON AS POSSIBLE,

B: PLAINTIFF at the time of July 27, 2021  
Did re send out PSP-3 and is Indigent At  
this facility until current funds became AVAILABLE  
to Account,

C: PLAINTIFF WAS AWAITING ON Indigent  
Envelopes from FACILITY while Housed in  
LOCK down And did urge FACILITY Authorities  
of the nature of this matter AND WAS ASSISTED  
by LT. Leonard who did Provide Emergency  
envelopes and Pen and paper for PLAINTIFF.

D: PLAINTIFF RESPECTFULLY DOES APOLOGIZE  
for any violations of the Courts AND PRAYS  
THAT this Court does Accept this His Motion  
and of Response to Show Cause IN WRITING  
Respectfully SUBMITTED AS ORDERED

Sincerely, Vartause Penn #440460  
VARTAURSE C. PENNS



VARTAURSE C. Penns #440460  
10451 LARKINS MTH DRIVE B/D #226  
Cell  
Gulfport, MS 39503

U.S. LEGAL MAIL

RECEIVED

AUG 19 2021

MAILED FROM HARRISON COUNTY  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF MISS.

ADULT DETENTION CENTER  
RESPONSIBLE FOR CONTENTS

3950139999

Hasler

08/17/2021

US POSTAGE

\$000.46

ZIP 39503

011E12650942

ATTENTION

CLERK U.S. DISTRICT COURT  
FOR SOUTHERN DISTRICT  
OF MISSISSIPPI

2012 15<sup>th</sup> STREET SATE 403

GULFPORT, MS 39501





IN THE UNITED STATES  
DISTRICT COURT FOR THE SOUTHERN  
DISTRICT OF MISSISSIPPI



PENNS PLAINTIFF  
V. HARRISON COUNTY JAIL et al DEFENDANTS  
1:21-cv-00221-LG-RHW

Judgment MOTION FOR SUMMARY

Comes now in the above styled case and case number VARTAUROSE C. PENNS and Does file this motion for summary judgment and would respectfully show unto the courts and Honorables there be the following to wit:

(C1) VARTAUROSE PENNS entered the Harrison County Jail on 5/13/21 and began to receive Breakfast, Lunch meal, And A Cold BAKED SANDWICH PACK without notice or option with made me ill and sick because of stale bread and spoil meat, Soapy Cookies inside the brown RAW PAPER BAG.  
(C2) THAT on 5/31/21 May 31, 2021 I WAS sanctioned to 20 days in the lockdown of the Jail without my Attorney present after requesting his presents at the hearing.  
(C3) 6/10/21 on June 10, 2021 while house on suicide unit while being separated from an inmate in medical I WAS HANDCUFFED behind my BACK And Assaulted multiple times by OFC Hodges, Sones, Jimenez, And Refused medical treatment, I've been charged to my inmate account for X-RAYS but never received them, nor was I sent to the doctor for ear infection and also overly charged for sic calls where no treatment was given because officers claim I had spat on officer Jones with the cameras in medical would prove I did not. I WAS reclassified as red on red status and sanctioned 80 days in the hole for lockdown which I stayed 87 days and denied the procedural grievance in the institution, To ALL Administration.



The PLAINTIFF Respect Fully Continues from Page one and Furthers His pleading to the Honorable Courts. — TAMPERANCE WITH MY MAIL AND TELEPHATION FROM VARIOUS PROGRAMS AT THE FACILITY.

Also in more

Furthereance, (D!) I Made proper and adequate with the appropriate timing and several attempts to the administration to correct and review this matter with A request from my current public defender NATHAN GELTMANN who stated He did not handle civil suites in the mist of all the events yet my neck and BACK hurt so very Badly including my spine cord, my Headaches and I still HAVE a ear infection that I complained of when staff of vital care only put cold water in to my ear but would not properly treat my ears or any pain properly because of the County's budget as stated by RANDY ROGERS and Mrs Kelly Moore, Also I WAS denied proper Mental Health medication because nurses stated they do not allow Benkun, welbutrin, Adderall, or TRAZADONE at the facility and or WAS not ordering it at all. Furthereance I Challenged the conditions of confinement and treatment at the jail. (E!) I VARTAUSE PENNS wrote letters to the administration at Harris County Jail and GRIEVED but recieved only denial and WAS denied proper care after being violently beaten while handcuffed and forced on a custody level without proper use of telephone, TV, Radio, Access to the media or outside world, YARD, CAFE the entire 87 days locked down when I did come off there still WAS no relief granted. wherefore premise 5 PLAINTIFF does seek \$5,000.00 per defendant in the amount of \$50,000.00 in nominal damages and in compensation damages PLAINTIFF seeks \$150,000.00 per defendant and PUNITIVE DAMAGES \$150,000.000.00 PLUS INDIVIDUAL CAPAS \$120,000.00 per defendant PLUS \$100.98 in losses of property further PLAINTIFF seeks ANY LAND, CARS, TRUCKS, BOATS, PLANES, STOCKS, BONDS, CATTLE, deeds of titles of TRUST FUNDS, BUSINESSES, LIVE STOCK, AND PLACE TO BBACCO inside the FACILITY and any other Request within Pleadings by PLAINTIFFS Also that this



1:21CV-00221-LG-RHWK

Honorable Court hears and the Plaintiff does  
PRAY that this Honorable Court GRANTS this  
His MOTION FOR SUMMARY JUDGMENT  
as a final order and Review all FACTS  
Respectfully Submitted: VARTAUERSE Penns 440460

Vartause C Penn  
1:21-CV-00221-LG-RHWK

#740460  
VARTAU SE C PENNS/B/D 2017  
10451 LARKINSMTH DRIVE  
Gulfport ms, 39502

~~LE LARKIN MATH~~

RECEIVED

OCT 20 2021

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF MISS.

MAJORITY OF THE JUDICIAL BRANCH  
ADULT DETENTION CENTER  
NOT RESPONSIBLE FOR 9950192036 C009

PRESORTED  
FIRST CLASS

Hasler

10/19/2021

US POSTAGE \$000.49



ZIP 39503  
011E12650942

US DISTRICT COURT  
FOR SOUTHERN DISTRICT  
OF MISSISSIPPI  
2012 15th STREET Suite 403  
Gulfport ms, 39502

